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August 24, 2022

**VIA ECF**

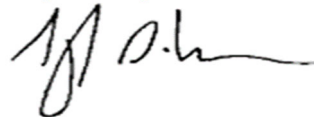
The Honorable Louis L. Stanton  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 21C  
New York, NY 10007

**RE: Majed Khalil v. Fox Corporation, et al., Case No. 1:21-cv-10248-LLS**

Dear Judge Stanton:

We represent Plaintiff Majed Khalil in the above-referenced action. On August 16, 2022, the Appellate Division, First Department, denied the Fox Defendants' motion for a stay of "discovery and any further proceedings pending hearing and determination of their appeal." *See* Order, Motion No. 2022-02870, Case No. 2022-01291, *Smartmatic USA Corp., et al. v. Fox Corporation, et al.* (1st Dep't Aug. 16, 2022) [NYSCEF Doc. No. 38].<sup>1</sup> A copy of the First Department's Order is annexed hereto as Exhibit A. The First Department's rejection of the Fox Defendants' motion for a stay follows the New York Supreme Court's denial of a similar motion, as noted in our July 8, 2022 letter to this Court [ECF No. 58]. Plaintiff respectfully submits that the Appellate Division, First Department's August 16, 2022 denial of the Fox Defendants' motion for a stay provides yet further support for denial of the Fox Defendants' motion to dismiss in this action.

Respectfully submitted,



Sigmund S. Wissner-Gross

Encl.

cc: All Counsel (via ECF)

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<sup>1</sup> In such motion for a stay, the Fox Defendants advanced many of the same meritless arguments that have been uniformly rejected by other courts, that they present in support of their motion to dismiss Plaintiff's action in this proceeding. *See, e.g.,* Smartmatic's Opposition to Motion for Stay at 1 (noting that "Every court that has heard the Fox Appellants' [neutral reporting, fair-report and actual malice] arguments in a defamation case about the 2020 Election has rejected them."), 15-26 [NYSCEF Doc. No. 36].